

**THE FLORENCE MINING COMPANY**  
**v.**  
**THE COBALT LAKE MINING COMPANY.**

---

Copy of judgment of Court of Appeal, delivered April 5th, 1909, by Moss, C. J. O. The first matter for consideration on this appeal is the constitution and frame of the action and the nature and extent of the relief which, assuming them to be entitled to any, the plaintiffs can be awarded on the present record.

By Letters Patent under the Great Seal of the Province, dated the 15th day of January, 1907, the Crown, in consideration of the payment of \$1,085,000, granted to the defendants in fee a parcel of land covered with water situate in the Township of Coleman, containing 55 acres, more or less, described as being composed of Cobalt Lake Mining Location, being land covered with water of part of Cobalt Lake, together with the mines, minerals and mining rights thereon and thereunder, and being all that part of the land covered with the water of Cobalt Lake lying southerly, easterly and southwesterly of the southeasterly limit of the right of way and Cobalt Station grounds of the Temiskaming and Northern Ontario Railway, excepting that portion of land covered with water of the lake designated as Mining Location J. S. 55, containing four acres, more or less, granted by Letters Patent, dated 31st July, 1905, to certain named persons.